

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

TERRY SUGGS,

Defendant.

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Criminal Case No.: 19-134

**DEFENDANT’S SUPPLEMENT TO
MOTION FOR PRETRIAL RELEASE**

Filed on behalf of Defendant:
Terry Suggs

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AND NOW, comes Defendant, Terry Suggs (“Mr. Suggs”), by and through his attorney Samir Sarna, Esquire, and files the within Supplement to Motion for Pretrial Release, and in support avers the following:

1. On December 22, 2020, Mr. Suggs filed, through counsel, a Motion for Release from Custody in Presumption Case. ECF Docket No. 146.
2. Additionally, on April 6, 2020, Mr. Suggs filed, through prior counsel, a Motion to Modify Order of Detention. ECF Docket No. 102.
3. Specifically, that Motion raised concerns about the then-emerging Coronavirus epidemic and, in particular, Mr. Suggs's vulnerability to serious health consequences should he contract Coronavirus. *Id.* at 4 (“Defendant has the very type of underlying health issues that make him especially vulnerable to the virus, i.e. asthma and diabetes.”).
4. Mr. Suggs hereby moves to incorporate those concerns in his present motion for pretrial release.

5. Crucially, Mr. Suggs notes that the spread of the Coronavirus in the United States is far more grave today than it was in early April of 2020, at the time of his original request.¹
6. Furthermore, as the Allegheny County Jail acknowledges, “Across Pennsylvania, correctional institutions have been hit particularly hard by COVID-19, with the number of positives [sic] inmates jumping since Thanksgiving. Likewise, this region has seen increased cases beginning in November through today.” <https://www.alleghenycounty.us/jail/index.aspx>.
7. There are current inmates with positive Coronavirus diagnoses as of this filing. *Id.*
8. Mr. Suggs acknowledges that the government, as well as this Honorable Court, have addressed the concerns raised in his April 6 Motion. Memorandum Opinion, ECF Docket No. 112.
9. As such, Mr. Suggs respectfully submits that the supplemental material provided herein is not being presented relative to a request for temporary release under 18 U.S.C.A. § 3622, but rather as additional information for this Honorable Court’s consideration regarding the pending request for relief under 18 U.S.C. § 3142, with particular focus on subsection (g)(3)(A).

¹ As of January 24, 2021, the 7-day average for daily new cases in the United States is 173,753, compared to a 7-day average of 30,328 on April 6. See <https://www.worldometers.info/coronavirus/country/us/>. **This represents a 573 percent increase in the number of new cases** compared to Mr. Suggs’s previous request.

WHEREFORE, it is respectfully requested that this Honorable Court grant the Motion for Pretrial Release in Rebuttable Presumption Case, thereby releasing Mr. Suggs from Pretrial Detention, with all conditions of release deemed appropriate by this Court.

Respectfully submitted,

/s/ Samir Sarna
Samir Sarna, Esquire

/s/ William J. Theisen
William J. Theisen, Esquire

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CERTIFICATE OF SERVICE

I, Samir Sarna, Esquire, hereby certify that the within Motion for Pretrial Release in Rebuttable Presumption Case was served via electronic filing on this 24th day of January, 2021:

The Honorable Judge Joy Conti Flowers
U.S. Courthouse
700 Grant Street
Pittsburgh, PA 15219

Rebecca Silinski, Esq.
Assistant United States Attorney
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Respectfully submitted,

/s/ Samir Sarna
Samir Sarna, Esq.
Attorney for Defendant

/s/ William J. Theisen
William J. Theisen, Esq.
Attorney for Defendant